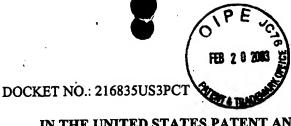
W



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

: GROUP ART UNIT: 3744

YOICHIRO IRITANI ET AL.

: DATE ALLOWED: DECEMBER 10, 2002

SERIAL NO.: 10/019,019

: EXAMINER: JIANG, C.W.

FILED: DECEMBER 26, 2001

Match and Return

FOR: EVAPORATOR AND REFRIGERATOR

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

The "Statement of Reasons for Allowance" included at page 2 of the Notice of Allowability dated December 6, 2002, characterizes the invention in terms of independent Claim 1 but makes no mention of independent Claim 4. Therefore, the Statement mischaracterized the invention in unduly narrow terms inconsistent with the actual allowed claim language. Accordingly, an expanded Statement of Reasons for Allowance consistent with the actual language of both Claims 1 and 4 is in order and is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Gregory J. Mater Registration No. 25, 599

Attorney of Record Joseph Scafetta Jr.

Registration No. 26,803

(703) 413-3000 GJM:JAS:dnf



Complete and send this form, together with applicable fee(s), to: Mail Box ISSUE FEE

Commissioner for Patents Washington, D.C. 20231 (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CORRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of the





Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

> (Depositor's name (Signata

> > (Dat

APPLICATION NO: FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/019.019 12/26/2001 Yoichiro Iritani 21683 -5US3PCT 5940

TITLE OF INVENTION: EVAPORATOR AND REFRIGERATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280 \$1300	\$300	\$ 1580 \$1600	03/10/2003

EXAMINER ART UNIT CLASS-SUBCLASS **ЛANG, CHEN WEN** 3744 062-515000

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

Q "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

OBLON, SPIVAK MCCLELLAND, MAJER & NEUSTADT, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

MITSUBISHI HEAVY INDUSTRIES, LTD.

Tokyo, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent)			S corporation or other private group entity	O government		
4a. The following fee(s) are enclosed:	4b. Payment of Fee(s):					
☑ Issue Fee	A check in the amount of the fee(s) is enclosed.					
© Publication Fee	☐ Payment by credit card. Form PTO-2038 is attached.					
Advance Order - # of Copies	The Commissioner is he Denosit Account Number	reby authorized	by charge the required fee(s), or credit any or	verpayment, to		

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Date) \$ NOTE: The Issue Fed and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1,311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

02/24/2003 YPOLITE2 00000043 10019019

01 FC:1501 02 FC:1504 1300.00 OP 300.00 OP

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE